

APPROVED 02/19/2009

At 6:05 pm the Board's meeting was called to order in the basement meeting room at the Fremont Town Hall by Gene Cordes. Present were Selectmen Gene Cordes and Brett Hunter; and Town Administrator Heidi Carlson.

Selectmen reviewed the mail folder and the evening's agenda.

OLD BUSINESS

1. Motion was made by Hunter to approve the minutes for 29 January 2009. Cordes seconded and the vote was approved 2-0.
2. The Selectmen's Report was finalized.
3. Selectmen reviewed a follow-up letter from Connie Magnusson regarding his offer to sell parcel 02-070 to the Town. Selectmen had reviewed this and referred it to the Open Space Committee. Selectmen will provide information for Nygren to draft a return letter to Magnusson.
4. The final cable contract was not available for signature. Cordes reported on conversations he had this week with Peter Epstein.

A summary of Cordes' conversation with Peter Epstein from Wednesday February 4th:

Epstein spoke with Jay Summers regarding the Board's concerns around performance dates. Somers has responded with the following:

1. \$10,000 for equipment within 60 days (same)
2. \$26,000 for installation of the fiber optic line for live broadcasting by November 1, 2009 (more or less the same as Cordes recalled we were at 6 months before)
3. Cabling of Old Ridge this next construction season at N/C (I believe 6 months from date but definitely 2009 more or less the same)
4. \$48,500 for re-engineering sections of the town to tie in to Fremont CAC by July 1, 2010

Total cost not to exceed \$84,500. Payment as follows: As completed within 90 days of invoice.

Local charges 5% for the first 9 quarters and then 2.5% or some other lower percentage thereafter (we should make sure that it can be lowered to any percentage not just 2.5%). The change here was that we were most recently discussing 4% for 2.5 years or perhaps three years.

Cordes reiterated that the Board did not want this financed over the 10 year contract and wanted to do an early lump sum payment. Comcast had changed the timeline to have it all done by the end of 2011 instead of what had originally been agreed to. Comcast came back with they are basically giving \$10,000 up front that we have to reimburse for equipment, cabling Old Ridge Road as part of the contract at no charge, and doing the head end fiber optic line with \$26,000 worth of improvements from here to Exeter and hook the three town sites in; and be done by November 1, 2009. Reengineering the Raymond and Sandown feeds is not to exceed \$47,500. Comcast then moved back from July 2011 to 2010 and will front load the franchise fee to 5% for 9 quarters and then lower thereafter and they want to be paid for their work within 90 days of being invoiced. (October 2010).

Cordes told Epstein that he would run this through the Selectmen and if in agreement they will approve with these conditions and Comcast has seven (7) days to present a contract as outlined.

This discussion will be continued when Gates arrives at the meeting.

NEW BUSINESS

1. Selectmen reviewed the payroll manifest \$20,371.77; and accounts payable manifest \$19,021.27 both dated for 02/06/09. Motion was made by Hunter to approve the accounts payable manifest in the amount of \$19,021.27. Cordes seconded and the vote was unanimously approved 2-0. Hunter then moved to approve the payroll manifest in the amount of \$20,371.77. Cordes seconded and the vote was unanimously approved 2-0.

2. Selectmen reviewed an abatement processed by Assessor for property at 38 Tibbetts Road; owned by John Malbon (parcel 07-007).

Cordes read aloud the Assessor's recommendation: Subject is a riverfront colonial style dwelling on a 0.15 acre parcel. Reason for request is that the building had been razed in June of 2008 as per the owner. Property was inspected and it was confirmed that the building and outbuildings have been removed. Previously the dwelling was listed as being in poor condition and heavily depreciated due to the 2007 flood. The applicant provided no evidence to indicate that as of April 1, 2008 the assessment was not appropriate. The property was foreclosed on and transferred to FNMA in March of 2008. With consideration for the fact that the building was razed, it is believed to have had little or no value on 4/1/08. After changes the assessment is reduced \$53,300 from \$141,600 to \$88,300 and it is recommended that an abatement in the amount of \$1,202.45 be granted. The assessment will be adjusted to reflect a new dwelling for 4/1/09.

Motion was made by Hunter to approve the Assessor's recommendation on the abatement. Cordes seconded and the vote was unanimously approved 2-0.

At 6:30 pm Heidi Carlson left the meeting. Jeanne Nygren joined the meeting and Theresa Walker came forward.

Walker, from the Rockingham Planning Commission in Exeter requested this meeting. She was joined by Rick Vandenburg, John LaTeck, and Rip Patten of Credere Associates; NH DES representative John Liptak; and Fremont Conservation Commission members Jack Karcz, Patricia deBeer, and Janice O'Brien.

Walker indicated that an EPA Grant of \$200,000 has been used to identify Brownfields in regions that are contaminated and where the perception of contamination will lead to them not being redeveloped. This includes threats to human health and the environment. There were 75 potential sites identified in the Rockingham Planning region; five were chosen to make use of the \$200,000 grant funding.

Selectman Don Gates joined the meeting at approximately 6:40 pm.

The Hammond Repair Shop on Sandown Road was identified as one property. Walker reported that the landowner is willing to work with them and presented additional material and a map. It was explained that there were environmental site assessments in 2 phases, I and II. Phase I is a desktop research study. This recognized conditions which lead to contamination of this property. In Phase II they collected a series of soil samples, installed ground monitoring wells, surface water samples from the river and sediment samples from the river. The results show that there is not a lot going on as far as environmental contamination. In the ground water samples, only one MBTE was found in a well and an area next to the leach field. Contaminants found were very close to the standard and will be retested. In the sediments, a little of fuel and associated compounds were found. Some exceeded the screening levels, next to a pipe

leading out into the river. DES will be contacted to find out what needs to be done. Surface water had nothing. The only reportable findings was arsenic and lead that exceeded sample levels, very little to show of significant concern. EPA and DES funds will help to pay for any clean up.

Asbestos and small amounts of lead also found which would cost approximately \$12,000.00 to clean up. Cordes asked the source of MBTE. This was a primary additive to gasoline but finding the source where it came from is hard.

Brownfield Program has funding to redevelop this site. The land cannot be owned by Mr. Hammond, it must be owned by the Town or a Conservation Group. If they come to an agreement with Mr. Hammond. She feels this would be an excellent idea for a Town park. Other agencies will work on ideas to build up this park. Walker asks to give some thought would the Town be willing to own it so she can start to seek out grant funds. There would be maintenance that would go along in the future for the Town.

Cordes asked what would be the typical restrictions on the use of the property. Walker said it depends who does the funding. Trail Bureau money would be for motorized vehicles or whether you do not what this. Cordes asked if existing buildings would be razed. There was discussion about this. Walker said she wanted to get the cars away from the river in the long term to eliminate the threat to the river. There is a cost associated with long-term maintenance. Walker said she could determine what would be a reasonable budget from other towns that maintain parks.

Cordes wanted to hear from the Conservation Commission members regarding this. Karcz said he didn't feel there was a problem as long as there is a use for the property. CTAP money may also be used to join forces with another town in a regional plan effort. Timing is a little tough, once you get the grant to clean it up, then you have to own it by next June. Assuming you are getting the grant, there is a second pool of money from DES to try to help if something falls through. Janice O'Brien was a little bit skeptical in the beginning but now feels is a good idea to clean this area up. She thinks this would be a great park, picnic area, boat launch in the future. She feels entering into this is an option. Pat agrees with Janice and said to look at the long term benefits for Fremont.

John from DES thinks this kind of project is "low hanging fruit" type of project. It is well packaged to cover contaminated areas and get work done in regards to clean up. NH DES doesn't help purchase property. Fish and Game will do boat launches at no cost to the Town.

Pat deBeer commented that in the past year the efforts to protect the river have escalated. There is an effort to make this a national designated river and having a park here would not be a bad thing.

Cordes asked regarding liability and DES said they pretty much have all this covered through the Brownfield Program.

Gates said he is supportive of this effort and what it takes. Hunter felt also this a good idea and had positive feelings. Cordes has the same sentiments and this is a good opportunity and monetarily they would be scrambling due to budgets.

Walker said Hammond is willing to go along with this project.

Cordes asked if the season would have anything to do with test results. The reply was yes, and there will be another series of testing in the spring as the original testing was done in November. Cordes asked what the next step is. Walker said she is getting a price quote and agreeing so they know what money has to be raised for completion of the project.

DES handed out a booklet on the Brownfield Program and environmental fact sheets, newsletter and applications on a revolving loan fund on sub grant money that would be available next year.

At approximately 7:30 pm all of the guests left the meeting.

There were no Department Heads present tonight.

OLD BUSINESS CONTINUED

5. Selectmen reviewed two emails from Keith Stanton regarding wind power generator and the date for School District Meeting. The Board discussed a response and asked Nygren to draft a return letter to Stanton for signature next week. The zoning matter of height for wind generation towers was forwarded to the Planning Board. There was discussion that this may be a case by case matter with the Zoning Board of Adjustment if residents want to construct wind towers. Wind power may not be available in all areas of Fremont. The date for School District Meeting is under no authority of the Selectmen.

6. To finalize the cable contract discussion begun earlier in the meeting, a motion to approve a written contract with the conditions as outlined on page 1, as long as it is submitted within seven (7) days was made by Hunter, seconded by Gates. The vote was all in favor 3-0.

NEW BUSINESS CONTINUED

3. Selectmen reviewed the folder of incoming correspondence.

At 8:00 pm motion was made by Hunter and seconded by Gates to enter non-public session to discuss a personnel matter. The vote was unanimously approved 3-0.

At 8:02 pm motion was made by Cordes and seconded by Hunter to return to public session. The vote

NEXT WEEK

The Budget Committee Public Hearing on the School Budget is at 7:30 pm on Monday February 9, 2009 at the Town Hall.

Motion was made by Hunter and seconded by Gates to recess this meeting to 6:00 pm on Monday evening February 9, 2009 at the Fremont Town Hall to discuss a personnel matter. All were in favor. The meeting recessed at 8:12 pm.

At 6:15 pm on Monday evening February 9, 2009 the Board met in the basement meeting room at the Fremont Town Hall. Present were Selectmen Gene Cordes, Donald Gates Jr, and Brett Hunter; Police Chief Neal Janvrin, and Town Administrator Heidi Carlson.

At 6:20 pm motion was made by Gates and seconded by Hunter to enter non-public session pursuant to NH RSA 91-A:3 II (c) to discuss a personnel matter. The vote was unanimously approved 3-0.

At 6:45 pm motion was made by Hunter and seconded by Gates to return to public session. The vote was unanimously approved. The Board made no decisions.

The Board talked with Chief Janvrin about various budgetary matters. There was some follow-up discussion to the January 31st Deliberative Session.

There was discussion about the setup for voting day on March 10, 2009.

Cordes reflected with the Board on his years of service in the role of Selectman.

At 7:15 pm motion was made by Hunter and seconded by Gates to adjourn this meeting. The vote was unanimously approved.

Gates went to participate in the ongoing School Public Budget Hearing and Carlson returned to working on the Town Report. Hunter, Cordes, and Janvrin left the hall at this time.

The next regular Board meeting will be held on Thursday February 12, 2009 at 6:00 pm.

Respectfully submitted,

Heidi Carlson
Town Administrator

Jeanne Nygren
Selectmen's Assistant